

REMARKS

Applicants are amending claims 1, 10, 16-20, 22, and 26. Claims 1, 4-10, 12-20, and 22-33 are pending in this application.

Applicants respectfully traverse the rejection of claims 1, 4, 6-10, 12, 14, 15, 19, 20, 22-28, and 30-33 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,357,042 to Srinivasan et al. ("Srinivasan") in view of U.S. Patent No. 6,177,931 to Alexander et al. ("Alexander").

The combination of teachings from Srinivasan and Alexander that is suggested by the Examiner fails to include a data transmission method comprising, inter alia, "generating first output content data at the viewer apparatus, *without requiring any transmission to the transmitter*, the generating of the first output content data comprising: (i) outputting an operation signal based on an operation performed by a viewer; and (ii) processing software stored in a data storage medium *using the operation signal as an input* to generate the first output content data," as recited in amended independent claim 1 (emphasis added).

Srinivasan discloses "[a]n authoring system for interactive video . . . for providing authored metadata to be related to a main video data stream and a multiplexer for relating authored metadata from the authoring sources to the main video data stream." Srinivasan at Abstract. "[A]s an example, [illustrated in FIG. 16,] when a client at premise **205** decides to purchase a scheduled program (VOD) from a cable company, his profile may be communicated, by prior arrangement, to the cable company by ad server **221**. Based on the provided profile, video ads may be selectively pulled or pushed from Internet-connected servers such as server **211**" Id. at col. 33, lines

21-27. Referring to FIG. 7, “[a]uthoring system **51** receives [video] stream **49** for the purpose of authoring the [video] stream Due to a unique synchronous architecture . . . , the resulting output streams, shown here as stream **53** (video stream) and stream **55** (annotation stream) may ultimately reach end users such as users **48a-n** via broadcast with minimal or no delay.” Id. at col. 13, lines 21-22 and lines 27-33.

“Separate data streams (video and annotation) are given frame-specific identification and marking so that they may latter [*sic*] be synchronized by using inserted data corresponding to the frame-specific identification.” Id. at col. 18, lines 8-11.

However, Srinivasan does not teach or suggest “generating first output content data at the viewer apparatus, *without requiring any transmission to the transmitter*, the generating of the first output content data comprising,” inter alia, “processing software stored in a data storage medium *using the operation signal as an input* to generate the first output content data,” as recited in claim 1 (emphasis added). The Office Action cites Srinivasan at col. 21, line 5 to col. 22, line 9, and col. 7, line 55 to col. 8, line 37, for an alleged finding of “first output content data.” Neither these nor any other sections, however, disclose or suggest these features recited in amended claim 1.

The first section of Srinivasan that is cited by the Office Action discloses that “an annotation data stream **125** . . . enter[s] system **115** through a modem.” Srinivasan at col. 21, lines 14-15. “A video broadcast stream **127** . . . enter[s] system **115** through the sub-module comprising a cable receiver.” Id. at col. 21, lines 17-18. “System **115** further comprises a pipeline module **129** adapted to accept both streams **125** and **127** for the purpose of synchronization.” Id. at col. 27-29. The Office Action appears to rely on the “video broadcast stream **127**” as allegedly constituting the “television content

data and “complementary data” recited in claim 1; on the “annotation data stream **125**” as allegedly constituting the “first output content data” recited in claim 1; and on the client’s selection of a VOD program as the “operation signal” recited in claim 1. Office Action at page 6, paragraph 2.

However, after the annotation data stream (125) has been received by the modem and before the annotation data stream (125) is synchronized with the video broadcast stream (127), the annotation data stream (125) has not been “*generated*” by “*processing software* stored in a data storage medium,” as recited in claim 1 (emphasis added). Rather, Srinivasan states that the annotation data stream (125) is merely *received* through a modem from outside the system (115). Merely receiving a data stream at a system does not constitute “processing software” at the system to “generate” the data stream. For example, claim 1 recites that the first output content data is generated “*at the viewer apparatus*” (emphasis added).

Furthermore, after the annotation data stream (125) has been synchronized with the video broadcast stream (127), the annotation data stream (125) has not been generated “*without requiring any transmission* to the transmitter,” as recited in claim 1 (emphasis added). The annotation data stream (125) can only be synchronized with the video broadcast stream (127) after the video broadcast stream (127) has been received by the system (115). And for the system (115) to receive the video broadcast stream (127), the system (115) requires an earlier VOD selection to be transmitted to the cable company. Indeed, the Office Action admits that “if VOD content is to be transmitted to the user (and the VOD content comprises the above data), then the VOD request *has to occur* prior to the content being delivered to the viewer apparatus.” Office Action at

page 3, paragraph 1 (emphasis added). Thus, after the annotation data stream (125) has been synchronized with the video broadcast stream (127), the annotation data stream (125) has not been generated “*without requiring any transmission to the transmitter,*” as recited in claim 1 (emphasis added).

The second section of Srinivasan that is cited by the Office Action also fails to teach or suggest “generating first output content data at the viewer apparatus, *without requiring any transmission to the transmitter,* the generating of the first output content data comprising,” inter alia, “processing software stored in a data storage medium *using the operation signal as an input* to generate the first output content data,” as recited in claim 1 (emphasis added). The second section of Srinivasan discloses that “an editor selects . . . a tracking box **29** of pre-selected shape and size, and places . . . the selected box over an image entity to be tracked” in order to generate an annotation stream. Srinivasan at col. 7, lines 55-58. “[I]nput data stream **15** to tracking module is a stream of successive bitmapped frames . . . , required by the tracking module.” Id. at col. 6, lines 20-23. “[T]he tracking module . . . outputs both the original data stream **19** and [the] annotation stream.” Id. at col. 6, lines 29-31. The Office Action appears to rely on the “annotation stream” as allegedly constituting the “first output content data” recited in claim 1; and on the “input data stream” as the “television content data” and “complementary data” recited in claim 1. Office Action at page 6, paragraph 2.

However, the annotation process described at col. 7, line 55 to col. 8, line 37, which is the section of Srinivasan cited by the Office Action, does not occur “*at the viewer apparatus,*” as recited in claim 1 (emphasis added). For example, the annotation process of Srinivasan does not occur at the system (115). Rather, Srinivasan teaches

that the annotation process occurs at an authoring station (11), such as illustrated in Figure 1. Srinivasan at col. 5, lines 66-67. The authoring station (11) is distinct from the system (115), which is illustrated in Figure 12.

Furthermore, if the annotation process of Srinivasan were hypothetically moved from the authoring station (11) to the system (115) of Srinivasan, then the system (115) would not generate the annotation stream “*without requiring any transmission to the transmitter,*” as recited in claim 1 (emphasis added). Such a hypothetically modified system (115) would require a transmission to the cable company to obtain the video broadcast stream (127) necessary for annotation. Srinivasan’s editor can only select the tracking box (29) over the input data stream (15) if the editor has obtained the input data stream (15). Otherwise, the editor would not know what to track, for example. And for the system (115) to receive the video broadcast stream (127), the system (115) requires an earlier VOD selection to be transmitted to the cable company. Indeed, the Office Action admits that “if VOD content is to be transmitted to the user (and the VOD content comprises the above data), then the VOD request *has to occur* prior to the content being delivered to the viewer apparatus.” Office Action at page 3, paragraph 1 (emphasis added). Thus, Srinivasan fails to teach or suggest “generating first output content data *at the viewer apparatus, without requiring any transmission to the transmitter,*” as recited in claim 1 (emphasis added).

Finally, there is not any teaching or suggestion in Srinivasan of using the VOD selection “as an input” for the software processing that generates the first output content data, as recited in claim 1. The Office Action relies on the VOD selection as the “operation signal” recited in claim 1; and on the synchronization and/or annotation

processes described above as “processing software . . . to generate the first output content data.” However, Srinivasan does not teach or suggest that the VOD selection is used “*as an input*” for the synchronization or annotation processes, as recited in claim 1.

For at least the reasons explained above, Srinivasan does not teach or suggest “generating first output content data at the viewer apparatus, without requiring any transmission to the transmitter, the generating of the first output content data comprising,” inter alia, “processing software stored in a data storage medium using the operation signal as an input to generate the first output content data,” as recited in claim 1.

Alexander does not make up for any of the deficiencies of Srinivasan described above. The Examiner only relies on Alexander for a teaching that users’ viewing habits may be monitored locally and targeted ads may be stored locally. Office Action, page 7, paragraph 3. This teaching does not, however, make up for the crucial deficiencies of Srinivasan that are described above. For example, as explained above, if the annotation process of Srinivasan were hypothetically moved from the authoring station (11) to the system (115) of Srinivasan, then the system (115) would not generate the annotation stream “*without requiring any transmission* to the transmitter,” as recited in claim 1 (emphasis added). Such a hypothetically modified system (115) would require a transmission to the cable company to obtain the video broadcast stream (127) necessary for annotation. Thus, Srinivasan and Alexander do not teach or suggest, alone or in combination, “generating first output content data at the viewer apparatus, without requiring any transmission to the transmitter, the generating of the first output content data comprising,” inter alia, “processing software stored in a data storage

medium using the operation signal as an input to generate the first output content data,” as recited in claim 1.

Accordingly, the Office Action's suggested combination of Srinivasan and Alexander fails to teach or suggest all of the elements recited in claim 1, and the Office Action has not identified any reason why one of ordinary skill would otherwise modify Srinivasan and Alexander, either alone or in combination, to obtain all of the elements recited in claim 1. Thus, since Srinivasan and Alexander do not render obvious the method recited in claim 1, claim 1 is allowable over Srinivasan and Alexander.

Independent claims 10, 19, 20, 22, and 26 are allowable over Srinivasan and Alexander for reasons similar to those explained above in relation to claim 1. Thus, because claims 4 and 6-9 depend from claim 1; claims 12, 14, and 15 depend from claim 10; claim 21 depends from claim 20; claims 23-25 depend from claim 22; and claims 27, 28, and 30-33 depend from claim 26, each of claims 1, 4, 6-10, 12, 14, 15, 19-28, and 30-33 should be allowed over Srinivasan and Alexander and this rejection should be withdrawn.

Applicants respectfully traverse the rejection of claims 16-18 under 35 U.S.C. § 103(a) as unpatentable over Srinivasan in view of Alexander, and further in view of U.S. Patent Application Publication No. 2003/0133043 to Carr (“Carr”). Independent claim 16 is allowable over Srinivasan and Alexander for reasons similar to those explained above in relation to claim 1.

Carr does not make up for the deficiencies of Srinivasan and Alexander. Thus, claim 16, and claims 17 and 18 depending therefrom, should be allowed over Srinivasan, Alexander, and Carr.

Applicants respectfully traverse the rejection of claims 5, 13, and 29 under 35 U.S.C. § 103(a) as unpatentable over Srinivasan in view of Alexander, and further in view of U.S. Patent No. 6,425,825 to Sitrick ("Sitrick"). Claims 5, 13, and 29 depend from claims 1, 10, and 26, respectively, and Sitrick does not make up for the deficiencies of Srinivasan and Alexander in relation to the independent claims. Thus, claims 5, 13, and 29 should be allowed over Srinivasan, Alexander, and Sitrick.

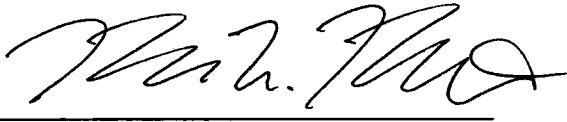
In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

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